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Report of the Secretary-General on United Nations policing

Summary

The present report is submitted pursuant to Security Council resolution 2185 (2014), in which the Council requested me to submit, by the end of 2016, a report on the role of policing as an integral part of peacekeeping and post-conflict peacebuilding, with particular focus on the challenges faced by police components of United Nations peacekeeping operations and special political missions, and to make recommendations on how best to strengthen their contribution to the achievement of mission mandates. Furthermore, pursuant to paragraph 93 of my report entitled "The future of United Nations peace operations: implementation of the recommendations of the High-Level Independent Panel on Peace Operations" (A/70/357-S/2015/682), the present report contains my response to the external review of the functions, structure and capacity of the Police Division of 31 May 2016. Notably, it sets out my vision as to how to ensure that the United Nations police is ready to respond effectively to the challenges of the twenty-first century and contains 14 key recommendations that I hope my successor will follow up on. This constitutes my second report on the United Nations police, the first (A/66/615) having been submitted to the General Assembly in December 2011 in response to a request by the Special Committee on Peacekeeping Operations (see A/65/19, para. 78).

The present report outlines how the environment in which the United Nations police operates has been altered by changing conflict dynamics. The United Nations police now engages in United Nations peace operations and post-conflict and other crisis situations across the entire peace and security spectrum, from conflict prevention and management to peacekeeping, peacebuilding and peace sustainment. It is often the breakdown of law and order that triggers United Nations deployment and, conversely the establishment or re-establishment of policing and other rule of law functions that allows United Nations peace operations to downsize and eventually withdraw.

Furthermore, the report takes stock of progress made and operational successes, such as the conferral of full responsibilities to host-State police in Timor-Leste and Sierra Leone; transition planning in Liberia, Côte d'Ivoire and Haiti; gender-sensitive policing and gender-balancing efforts in Côte d'Ivoire, Darfur and Haiti; and evolved integrated rule of law approaches in Mali and Somalia.

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In the report, consideration is also given to the growing importance of the United Nations police to international peace and security, as emphasized by Member States at the first United Nations Chiefs of Police Summit in June 2016 and several peacekeeping summits, and the increased attention given to policing by the Security Council and the Special Committee on Peacekeeping Operations. It underscores the most recent global developments, including advances made in the Strategic Guidance Framework for International Police Peacekeeping, to ensure coherence of effort and refine strategic police generation platforms.

At the same time, the report highlights critical challenges, such as the mismatch between mandated policing tasks and the authorized posture and allocated resources. It underscores operational dilemmas, from addressing gaps in the criminal justice chain in the Central African Republic to interpreting public safety and security mandates in South Sudan in a way that both protects internally displaced persons and responds to the perpetrators of threats. My report also illustrates how the political nature of host-State police capacity development as part of larger security sector reform efforts necessitates national ownership and integrated approaches. It also underscores practical challenges pertaining to United Nations police, including welfare, which require action.

The present report presents my vision for a people-centred, modern, agile, mobile and flexible, rights-based and norm-driven United Nations police. To realize this vision, I put forward 14 recommendations, namely: (a) realistic mandates that are adequately resourced and a Police Division that is appropriately staffed and positioned within Secretariat structures; (b) the nomination of Member States' most qualified officers and most able units that are able to deploy rapidly to implement mandated tasks; (c) an audit of selection and recruitment processes to ensure effective and efficient rotations; (d) steps to ensure that deployed police personnel have undergone human rights screening and are held accountable for any criminal acts, including sexual exploitation and abuse; (e) special measures to increase the proportion of female United Nations police to create more inclusive, responsive policing; (f) a review of the formed police unit concepts, capacities and capabilities to improve performance and overall management; (g) enforcement of the Strategic Guidance Framework for International Police Peacekeeping; (h) predeployment, induction and in-mission training that is compliant with the Strategic Guidance Framework, including on the protection of civilians, child protection and conflict-related sexual violence; (i) integration of United Nations policing in effective political solutions; (j) participation of United Nations police in conflict prevention; (k) consolidation of synergies with rule of law, human rights, civilian and military efforts to ensure holistic approaches to the protection of civilians and capacity development; (l) operationalization of comprehensive rule of law support through the Global Focal Point on Police, Justice and Corrections Areas in the Rule of Law in Post-Conflict and Other Crisis Situations, including access to necessary funding sources; (m) a coherent approach to preventing and addressing serious and organized crime through access to information exchange networks and the establishment of a dedicated capacity within the Police Division; and (n) appropriately resourced backstopping of special political missions and other planning processes.

Overall, my proposal for overcoming the challenges of United Nations police and realizing my vision will require strong leadership by Member States, the Secretariat and my successor, reinforced partnerships and robust and effective capabilities, including well-trained and well-equipped police with access to the most recent innovations and technology.

I. Background

1. In its resolution 2185 (2014), the Security Council requested that I submit a report by the end of 2016 on the role of policing as an integral part of peacekeeping and post-conflict peacebuilding, with particular focus on the challenges faced by police components of United Nations peacekeeping operations and special political missions, and making recommendations on how best to strengthen their contribution to the achievement of mission mandates. In line with the recommendations of the High-level Independent Panel on Peace Operations (A/70/95-S/2015/446), I instructed the Police Division to undertake an external review of its functions, structure and capacity (see A/70/357-S/2015/682, para. 93). The external review was completed on 31 May 2016.[1] The present report constitutes my response to the request of the Security Council and to the external review, sets out my vision to ensure that the United Nations police is posed to respond to the challenges of the twenty-first century and contains 14 recommendations that could be followed up on by my successor.

2. This constitutes my second report on United Nations police. My first report (A/66/615) was submitted to the General Assembly in December 2011, pursuant to a request from the Special Committee on Peacekeeping Operations (A/65/19, para. 78).

II. Introduction

3. The external review, reiterating the findings of the High-level Independent Panel on Peace Operations, stressed the significant changes that had taken place in United Nations peace operations and their impact on United Nations policing. In 1960, 30 police monitors deployed to the United Nations Operation in the Congo. Today, approximately 13,500 officers, of whom 10 per cent are women, are deployed in 12 peacekeeping operations and 6 special political missions, where they are assigned a variety of complex tasks (see A/66/615, paras. 9-32). Increasingly robust mandates require police to protect civilians and provide operational support, while also promoting the reform, restructuring and development of host-State capacity. The breakdown of law and order often provides a trigger for the deployment of a United Nations peace operation. Conversely, it is often the establishment or re-establishment of policing and other core functions of the criminal justice chain, in adherence to the rule of law, that allows United Nations peace operations to downsize and eventually withdraw. The 2030 Agenda for Sustainable Development, and specifically Sustainable Development Goal 16 on the development of effective, accountable and inclusive rule of law institutions, reaffirmed the linkages between security, human rights and development. Thus, by increasing the ability of the host-State's law enforcement and justice institutions to perform their tasks, the United Nations police has become an indispensable instrument in creating an environment in which there is increased political will and capacity that contributes to a mission's exit strategy.

[1] Available from http://www.un.org/en/peacekeeping/documents/policereview2016.pdf.

III. Changing operating environment

4. In its report, the High-level Independent Panel on Peace Operations determined that United Nations peace operations had proven highly adaptable and had contributed significantly to the successful resolution of conflicts (see A/70/95-S/2015/446, summary). Given the centrality of policing in preventing, mitigating and resolving violent conflict and contributing to early peacebuilding and reconciliation, an effective, capable and delivery-oriented United Nations police must be a key element of United Nations peace operations.

5. Such change must take into account the deteriorating global security environment, which, as I have noted elsewhere (see A/70/357-S/2015/682, para. 103) and as also recognized by the Special Committee on Peacekeeping Operations (see A/70/19, para. 39), has increased the nature and scale of the security challenges faced by United Nations peace operations. The United Nations is a target for direct attack, including asymmetric threats, by some parties and spoilers to peace processes. In certain contexts, this threat is further aggravated by the blurring of lines and collaboration between transnational criminal networks, extremist groups and political actors. In addition, the increased risk of indirect attacks during and following conflict, including a disregard for international humanitarian law, as illustrated by the targeting of civilians, including humanitarian personnel,[2] presents grave risks to the safety, security and livelihoods of communities around the globe, as well as to international peace and security (see A/70/357-S/2015/682, paras. 1-9).

6. The restoration of State authority in remote or contested areas presents a serious challenge, on repercussion being that non-State, and often criminal, actors take advantage of security and governance vacuums. Furthermore, the Organization has been tasked to respond to threats against civilians, including conflict-related sexual violence and sexual and gender-based violence. In South Sudan, hundreds of thousands of internally displaced persons have sought safety on the premises of peacekeeping operation, and United Nations police have been called upon to take on new tasks, including the provision of public safety and security for those seeking refuge within United Nations premises.

IV. Evolving role and composition of United Nations police

7. The United Nations defines "policing" as a function of governance responsible for the prevention, detection and investigation of crime; the protection of persons and property; and the maintenance of public order and safety. Policing must be entrusted to civil servants who are members of police or other law enforcement agencies of national, regional or local governments, within a legal framework that is based on the rule of law.[3] Police and law enforcement officials[4] have the obligation

[2] See, for example, the report of the Secretary-General on the protection of civilians in armed conflict (S/2016/447).

[3] The rule of law refers to "a principle of governance in which all persons, institutions and entities, public and private, including the State itself, are accountable to laws that are publicly promulgated, equally enforced and independently adjudicated, and which are consistent with international human rights norms and standards" (see S/2004/616, para. 6).

to respect and protect human rights. As this understanding of policing must serve as the common denominator for United Nations police officers, who currently come from 87 police-contributing countries with a variety of organizational and legal frameworks, the Strategic Guidance Framework for International Police Peacekeeping provides comprehensive policy and guidance for United Nations police officers from a diverse range of police-contributing countries to work together efficiently and impartially.

8. The mission of the United Nations police is to enhance international peace and security by supporting Member States in conflict, post-conflict and other crisis situations to realize effective, efficient, representative, responsive and accountable police services that serve and protect the population. To that end, United Nations police build and support, or, where mandated, act as a substitute or partial substitute for, host-State police capacity to prevent and detect crime, protect life and property and maintain public order and safety in adherence to the rule of law and international human rights law. United Nations police pursue community-oriented and intelligence-led policing approaches to contribute to the protection of civilians and human rights; address, among other things, sexual and gender-based violence, conflict-related sexual violence and serious and organized crime; and conduct investigations, special operations and electoral security. They are composed of formed police units (currently 66 per cent), individual police officers (currently 34 per cent), which include specialized teams, contracted seconded police and civilian experts.

9. The work of the United Nations police is undertaken within a framework which includes the principles of security sector reform,[5] peacebuilding and early peacebuilding for peace operations, and encompasses efforts to prevent the outbreak of or relapse into conflict (see A/69/968-S/2015/490, para. 7). Conflict prevention involves both immediate operational activities (stabilization and physical protection) and longer-term structural prevention (building of political will and national capacity) (see A/55/985-S/2001/574, para. 8) within a larger context, including reconciliation and transitional justice as critical factors for sustainable peace.

10. There is also a continuing need to advance gender mainstreaming efforts and the participation of women in the United Nations police (see Security Council resolution 2242 (2015), para. 8). Police services benefit greatly when the experiences and perspectives of women and men are incorporated in the design, implementation, monitoring and evaluation of police legislation, policies and programmes. This includes addressing sexual and gender-based violence, conflict-related sexual violence and the security concerns of women, men, girls and boys. It also requires the building of more democratic, inclusive host-State police services

[4] Including police, gendarmerie, customs, immigration and border services, as well as related oversight bodies, such as ministries of the interior or justice.

[5] Security sector reform describes a process of assessment, review and implementation as well as monitoring and evaluation led by national authorities that has as its goal the enhancement of effective and accountable security for the State and its peoples without discrimination and with full respect for human rights and the rule of law. As the Security Council noted, security sector reform should be a nationally owned process that is rooted in the particular needs and conditions of the country in question (see A/62/659-S/2008/39, para. 17).

with due regard for gender equality. The inclusion of women in police services provides a greater sense of security overall and improves access to and support from law enforcement agencies to women. As at 30 September 2016, the representation of women among individual police officers and formed police units stood at 19.7 per cent and 6.6 per cent, respectively. In order to reach 20 per cent, continuing efforts will be required by police-contributing countries to increase nominations of women officers and mainstream gender considerations within their national police services.

11. For the most part, the United Nations police comprises police components within United Nations peace operations. Specialized expertise has also been deployed in non-mission settings under the Global Focal Point on Police, Justice and Corrections Areas in the Rule of Law in Post-Conflict and Other Crisis Situations arrangement. This has included, for example, deployments to Sri Lanka and Sierra Leone. The United Nations police, in conjunction with mission components, United Nations partners and others, including the African Union, the European Union and INTERPOL, strengthens rule of law capacities and supports security sector reform in host States, in line with international human rights law. This support reinforces national, regional and international efforts to disrupt criminal networks and address key drivers of conflict and violence, as well as social injustice and inequality.

12. Finally, the United Nations police also includes the Police Division of the Department of Peacekeeping Operations, with its New York-based sections and the Brindisi-based Standing Police Capacity. At Headquarters, the Police Adviser, supported by the Police Division, is responsible for providing strategic advice and support on all policing issues to senior United Nations officials, as well as to heads of police components of operations led by the Department of Peacekeeping Operations and the Department of Political Affairs. The Police Adviser also oversees basic support by the Division to police components, including guidance development, planning, selection and recruitment, mission management and backstopping. The Standing Police Capacity provides start-up capacity and technical assistance to field missions, as well as in non-mission settings through the Global Focal Point arrangement, primarily through time-limited deployments.

V. Global developments

13. At the United Nations Chiefs of Police Summit in June 2016,[6] United Nations officials and Member States emphasized the centrality of United Nations policing to international security. Furthermore, the Security Council unanimously adopted resolution 2185 (2014) on policing and has requested annual briefings by heads of police components since 2014, as has the Special Committee on Peacekeeping Operations.

14. The increased significance of United Nations policing has necessitated the elaboration of more detailed guidance for United Nations police, namely the Strategic Guidance Framework for International Police Peacekeeping, which comprises the Department of Peacekeeping Operations/Department of Field Support

[6] For further information, see http://www.un.org/en/peacekeeping/sites/police/initiatives/UNCOPS.shtml.

policy on United Nations police in peacekeeping operations and special political missions and the guidelines on police capacity-building and development, on police command and on police operations. The guidelines on police administration will be completed by the end of 2016. Detailed, field-oriented manuals will follow. While the development of the Strategic Guidance Framework has been slow and deliberately paced, I fully expect that further guidance will be completed expeditiously, as called for in the external review.

15. The Strategic Guidance Framework cannot, however, be seen in a vacuum. It situates United Nations policing in a broader framework, including my Human Rights Up Front initiative (2013); the establishment of the Global Focal Point arrangement (2012); the development of the Department of Peacekeeping Operations/Department of Field Support policy on the protection of civilians in United Nations peacekeeping (2015); the Office of the High Commissioner for Human Rights/Department of Peacekeeping Operations/Department of Political Affairs policy on human rights in United Nations peace operations and political missions (2011); the human rights due diligence policy on United Nations support to non-United Nations security forces (2011); the policy on human rights screening of United Nations personnel (2012); and Security Council resolution 2272 (2016) on the application of the relevant standards related to sexual exploitation and abuse that must be met by troop- and police-contributing countries prior to deployment. By the end of 2016, guidance for United Nations police will be further expanded in the revised Department of Peacekeeping Operations/Department of Field Support policy on formed police units, as well as new Department of Peacekeeping Operations/Department of Field Support guidelines on the protection of civilians by United Nations police.

16. Full implementation of these initiatives and guidance will require enhanced predeployment, induction and in-service training to further increase the effectiveness of the United Nations police.[7] In its resolution 49/37, the General Assembly recognized that the training of personnel for United Nations peace operations was the responsibility of Member States. The Strategic Guidance Framework provides police-contributing countries with an overview of the expectations of their officers in the field and desired skill sets. It also renders the role of United Nations police transparent to host States.

17. As the High-level Independent Panel on Peace Operations noted, closing the gap between what is asked of missions with respect to the protection of civilians and what they can provide requires improvement across several dimensions: assessment and planning, capabilities, timely information and two-way communication, leadership and training, and mandates and expectations (A/70/95-S/2015/446,

[7] As was stated in paragraph 20 of the external review "In service training for [United Nations police] should be greatly enhanced, including training in advising and mentoring skills and on the Strategic Guidance Framework. Given the unique needs of police components in United Nations peace operations, there is a need to better use training capacity and invest in helping bridge the gap between [United Nations police] officers' national experience and their role within peace operations. It is the view of the review team that, even with significant improvements in the provision of appropriately skilled personnel, there will remain a large requirement for United Nations in-service training. The [Strategic Guidance Framework], in addition to skills training, should be an integral part of predeployment, induction and in-service training."

para. 91). To that end, the Department of Peacekeeping Operations and the Department of Field Support will closely collaborate on improving performance management frameworks for military, police and civilian components.

18. Ongoing efforts by the Police Division and the Department of Peacekeeping Operations Strategic Force Generation and Capability Cell will have all formed police unit commitments registered and managed through the Peacekeeping Capability Readiness System by 1 January 2017. At the 2015 Leaders' Summit on Peacekeeping, 26 Member States pledged approximately 400 individual police officers, 25 formed police units, 2 special weapons and tactics (SWAT) units, 4 guard units and 8 specialized teams. There were also six pledges of training support. At the United Nations Chiefs of Police Summit in 2016, 7 police-contributing countries pledged additional formed police units and 12 police-contributing countries pledged additional individual police officers, which addressed some immediate shortcomings. The United Nations police nevertheless continues to face systemic gaps, including in the ability to deploy rapidly, as well as in their in-theatre mobility, capacity to protect civilians and United Nations personnel and access to advanced police technology, training and extrabudgetary and programmatic funding. Ensuring that formed police units are fit for purpose requires clear oversight of their delivery against mandates.

19. In line with the external review, the Police Division, in consultation with missions and Member States, continues to review standard operating procedures for the selection, assessment and deployment of individual police officers, formed police units and police leadership to enhance the effectiveness of police deployment. It has adjusted its recruitment system by developing separate recruitment streams for command, operations, capacity-building and development, and administration. This is in accordance with the Strategic Guidance Framework and responds to the recommendation of the external review to have separate streams for the deployment of personnel that will be employed in the areas of protection and development, including civilian experts. To increase the timeliness, effectiveness and transparency of the evaluation and selection of candidates, the Police Division is further refining its computerized human resources system to manage all the information on specific individualized skills and cross-check relevant data of the individual police officers with other United Nations entities with respect to mandatory clearances (conduct and discipline and medical clearance and human rights certification provided by Member States). It remains a challenge to sustain a high number of French-speaking officers and units. The Police Division has been working closely with partners such as the International Organization of la Francophonie to improve the nomination and recruitment processes.

VI. Field-related developments

20. United Nations police provide the bedrock of a mission's exit strategy. In Timor-Leste, Sierra Leone and Liberia, security responsibilities were successfully conferred to the host-State police in 2012, 2014 and 2016, respectively. In Timor-Leste, this handover followed the completion of a joint assessment of the institutional capacities of the national police, in which each Timorese police station was evaluated against agreed indicators of progress set out in a joint development

plan. The planning, assessment and handover process was implemented jointly by the host-State police and United Nations police, including a cadre of 19 civilian police experts, in conjunction with the United Nations Development Programme (UNDP), other agencies, funds and programmes, and bilateral partners.

21. In Sierra Leone, the United Nations transitioned from a peacekeeping operation to a special political mission and now supports the country through the United Nations country team. Under the Global Focal Point arrangement, United Nations police continued to assist in peace consolidation, following the exit of the United Nations Integrated Peacebuilding Office in Sierra Leone in 2014, deploying the Standing Police Capacity to support ongoing UNDP security sector reform efforts.

22. In 2013, the United Nations Mission in Liberia (UNMIL) supported the national police in a joint assessment exercise to monitor progress and identify priorities for development and reform. Those assessments informed the Government's plan for the UNMIL transition, with security responsibilities handed over from the Mission on 30 June 2016. United Nations police continue to support, inter alia, the development and implementation of key law enforcement legislative, policy and accountability frameworks and intelligence-led and community-oriented policing capacities in Liberia.

23. In Côte d'Ivoire, a joint technical committee, comprising representatives of the United Nations Operation in Côte d'Ivoire police, the Ivorian national police and gendarmerie and UNDP, was established in June 2016. The committee developed a plan, completed in August 2016, for the transfer of responsibilities from the United Nations police to the relevant government authorities and the United Nations country team.

24. In Haiti, the Haitian National Police Development Plan for 2012-2016, implemented by the police component of the United Nations Stabilization Mission in Haiti (MINUSTAH) with support from the United Nations country team and bilateral partners, has focused on improving the capacity and operational readiness of the national police. By the end of 2016, the United Nations police will have assisted the national police in increasing its overall personnel to 14,600 officers, 10 per cent of whom are women.

25. Incorporating gender considerations into its work, a specialized sexual and gender-based violence police team in the police component of MINUSTAH developed the capacity of the national police, including the establishment of 13 specialized sexual and gender-based violence police offices, a sexual and gender-based violence classroom at the Police School and an office for the Haitian National Police National Coordinator on Gender and Women's Affairs. In Somalia, the police component of the United Nations Assistance Mission in Somalia (UNSOM) assisted the Somali federal police in addressing gender-related crimes. Similarly, the police component of the African Union-United Nations Hybrid Operation in Darfur (UNAMID), in collaboration with UNDP, built seven family and child protection units across Darfur to address sexual and gender-based violence and conflict-related sexual violence.

26. A targeted recruitment campaign in Liberia, linked to an accelerated education programme and the implementation of a gender policy, resulted in 18.6 per cent

female representation within the national police. UNOCI advocacy has similarly focused on the integration of women in the national police and the previously all-male gendarmerie. In October 2014, the first 4 women officers joined the gendarmerie; an additional 35 female recruits began training in 2016. The UNOCI police component, with support from UNDP, initiated a project of rehabilitating accommodations at the École de Gendarmerie d'Abidjan, which can house 50 female gendarmes.

27. The United Nations police, together with the task force on human rights due diligence policy in each mission, undertakes risk assessments regarding United Nations police support to non-United Nations security forces, notably host-State police, so as to mitigate potential human rights violations by such forces.

28. Approaches to the rule of law and the role of the Office of Rule of Law and Security Institutions in the Department of Peacekeeping Operations and its field missions have evolved considerably since 2007. As set out in the presidential statement of the Security Council on the rule of law (see S/PRST/2014/5), supporting national authorities, where mandated, to develop rule of law priorities and strategies to address the needs of police, judicial institutions and corrections systems and their interlinkages is a vital contribution to building peace and ending impunity. Both the efforts and the impact on the ground have increased significantly, and coordination at Headquarters and in the field has improved. In my reports on the rule of law, I have repeatedly stated that there can be no peace without respect for the rule of law and human rights. The challenge is not only to understand the importance of rule of law activities as a pillar of peace operations, but for political strategies to ensure adherence to the rule of law priorities that are necessary for sustainable peace and security, through a coherent response.

29. The United Nations police in the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA), along with its justice and corrections and mine action components, as well as UNDP, the United Nations Office on Drugs and Crime (UNODC) and other partners, including the European Union, coordinated their support to the establishment and operationalization of the specialized judicial unit on terrorism and transnational organized crime. It is composed of 12 magistrates, led by a special prosecutor, and a specialized investigation brigade comprised of 50 investigators, and is tasked with addressing terrorism and transnational organized crime as part of a comprehensive investigation/prosecution team. The MINUSMA police and its partners continue to train the Malian security forces, with a focus on the fight against terrorism and serious organized crime, improvised explosive devices threat mitigation, intelligence, investigations and forensics.

30. The United Nations police continues to strengthen host-State capabilities to address serious organized crime, together with INTERPOL, UNODC, the Department of Peacekeeping Operations and the Department of Political Affairs, through the joint West Africa Coast Initiative, including the establishment of transnational crime units. In Côte d'Ivoire, UNOCI police coordinated activities of UNODC, INTERPOL and the United Nations Office for West Africa and the Sahel and provided expertise to national counterparts in establishing the transnational crime unit. Access to INTERPOL online training and its I-24/7 database allows host-State transnational crime units and the United Nations police to expand their

capacities to gather, analyse and act upon criminal information. This work is increasingly reflected in mandates, such as Security Council resolution 2277 (2016), in which the United Nations Organization Stabilization Mission in the Democratic Republic of Congo was called upon to collect and analyse information on the criminal networks which support armed groups.

31. United Nations police are increasingly called upon to support special political missions, where small, high-impact police components provide strategic advice on the transformation of the police within wider political strategies, as well as critical coordination support to ensure coherent international assistance. In UNSOM, United Nations police contributed, through the Global Focal Point arrangement, to an agreement on a new policing model in a federated Somalia. Given the importance of rule of law and policing in conflict prevention and peacebuilding, resources are needed to ensure adequate Headquarters support to police components in special political missions.

VII. Global and field-based challenges

32. One of the key challenges for United Nations policing is the mismatch between mandated tasks and the posture of the United Nations police and allocated resources at Headquarters and in the field. Mandate implementation is at times hindered by inconsistent planning and unrealistic operational recommendations. These challenges can be exacerbated by a perceived disconnect among the Security Council, the Secretariat and police-contributing countries, as well as the perception that actions of the Secretariat are carried out within organizational "silos".

33. Even innovative approaches by the Security Council, such as the urgent temporary measures in the Central African Republic granting limited authority to carry out policing and law enforcement activities to maintain basic order and combat impunity, have raised challenges for United Nations policing. When the justice chain is ineffective or lacking, how can investigations conducted by United Nations police be brought into the legal framework of a host-State where the mission has been mandated with only some of the attributes of executive policing? This underscores the need for clear, implementable and appropriately resourced mandates.

34. A pragmatic approach is critical. For example, serious crimes committed by internally displaced persons on United Nations premises in South Sudan cannot be investigated and prosecuted by the United Nations Mission in South Sudan (UNMISS). Yet expelling serious offenders is often, for human rights reasons, not an option. Consequently, UNMISS police are confronted with the challenge of protecting internally displaced persons from serious crime, including by detaining individuals who constitute such threats, based on a mandate to maintain public safety and security within its sites for the protection of civilians, raising new legal and protection issues.

35. As recognized in the Strategic Guidance Framework for International Police Peacekeeping and by the High-level Independent Panel on Peace Operations, capacity-building is inherently political, as well as technical. The host State must be in the lead. Progress must be assessed on the basis of benchmarks and standards.

Any reform effort should be undertaken in close consultation with relevant stakeholders and promote host-State police ownership and accountability. It is imperative that heads of missions utilize United Nations police to prioritize capacity-building and continue to foster political will in support of the protection of civilians and longer-term capacity-building.

36. Wavering host-State commitment can manifest itself in various ways. Lack of political will can hinder or even prevent capacity-building and development. The non-establishment of the Abyei Police Service by the Sudan and South Sudan is a case in point. An unwillingness or inability to implement fundamental reforms, particularly when integrated into broader security sector reform efforts, can further prevent the delivery of mandated tasks. Political processes are essential to long-term peace. Accordingly, the political work of missions must include support to policing reform efforts.

37. Police need to be fully integrated into security sector reform efforts. The perception remains that such efforts are often military-centric, without proper inclusion of other aspects of the security sector. The host State sometimes prioritizes the military to the detriment of the police and the justice system. In its resolution 2151 (2014), the Security Council stressed the importance of security sector reform, including the development of professional, accessible and accountable policing capabilities as well as institutions responsible for oversight and management. Too often, the omission of police in security sector reform priorities leads to otherwise avoidable hard lessons years later. At the same time, many countries in which the United Nations works have no tradition of formal policing, and the traditions that do exist are often highly militarized. Thus, the clear delineation of responsibilities among security entities is critical. We must support the development of emerging police systems but also recognize when the centre of gravity for host-State security lies in alternate or informal security structures.

38. In other cases, host States rely overly on the United Nations to assume policing duties. In Haiti, inadequate budgetary allocations for the national police have negatively affected the ability of the United Nations police to quickly cease operational support to the national police. In the Central African Republic, the Government, notwithstanding its memorandum of understanding with the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA), at times seems to have interpreted the mandated urgent temporary measures as transforming United Nations police into the Government's operational arm for conducting sensitive arrests. In Liberia, the inadequate budgetary allocations for the police have led to an overreliance on United Nations police for construction and renovation of police stations and for improved delivery of policing services countrywide. While mandates should prioritize capacity-building, United Nations police and military should not subsume governmental responsibilities in a way that pre-empts the host-State's willingness or ability to restore accountable legal and law enforcement institutions. The greater the commitment of Member States to investing in capacity-building, the more the cost of peace operations will decrease over time.

39. In addition, non-adherence by host States to status-of-forces and status-of-mission agreements, including freedom of movement and visa restrictions, severely limits missions' abilities to deliver on mandated tasks.

40. An integrated approach is essential from the start. United Nations police are a critical element in the initial joint military and police stabilization efforts, as well as the later initiatives on the transition to broader justice and corrections promoting peaceful dispute resolution through host-State rule of law institutions. In the Central African Republic, MINUSCA police working with military, justice and corrections components are contributing to restoring law and order through the urgent temporary measures framework. Furthermore, the Bangui Joint Task Force, an integrated police-military structure under one command line, and combined, integrated police-military action, have proven essential in the context of the protection of civilians. The challenge, however, is to maintain a clear understanding of the respective roles of the military and police and their respective rules of engagement and directives on the use of force. Much remains to be done in applying lessons learned from this unique approach combining police and military assets under a unified chain of command.

41. A functioning criminal justice chain is crucial to the protection of civilians. As I have stated before, systematic accountability for violations of international humanitarian and human rights law is crucial to providing redress for victims, deterring further violations and promoting reconciliation (see S/2016/447, para. 18). United Nations police, along with human rights and justice and corrections components, are instrumental in the post-conflict and early peacebuilding phase in supporting the development of host-State institutions to ensure non-discriminatory accountability. Human rights violations need to be addressed by national counterparts, with the support of the mission, as a key deterrent to continuing cycles of violence. Law and order gains in this regard send a strong signal that spoilers cannot act with impunity. However, there are perception risks associated with the United Nations implementing such rule of law tasks, which should be limited in scope and duration. The overall focus should be on supporting the national authorities in undertaking their protection and accountability responsibilities. In extremis, the application of such measures by a peacekeeping operation can lead to allegations that it is not being impartial.

42. Another practical challenge facing United Nations individual police officers, military experts on mission, individually deployed military personnel and other components using government-provided personnel relates to the mission subsistence allowance and the lack of hazard or danger pay. Mission subsistence allowance is not an incentive, but rather compensation for living expenses in the mission area. Existing disparities in conditions of service among different types of personnel continue to pose grave challenges to mandate delivery, especially where colleagues work side by side and perform comparable tasks. This has a detrimental effect on the morale, safety and performance of individual police officers, especially those serving under the most challenging, hazardous conditions, such as in Afghanistan, Libya or Somalia, without the benefit of the hazard pay received by their civilian colleagues. This further hampers the United Nations police in attracting enough high-quality personnel to perform the mandated functions.

43. Finally, national caveats on the deployment and functions of individual police officers and formed police units limit the extent to which those contingents can support mandate implementation. All missions are to report to Headquarters any incidents of refusal to follow orders, whether on grounds of new caveats or for any

other reason (see A/70/95-S/2015/446, paras. 105(c) and 220, and A/70/357-S/2015/682, para. 98). The imposition of caveats will also be taken into account by the Secretariat when determining whether or not to proceed with deployment.

VIII. Vision

44. Changing conflict dynamics have transformed United Nations policing. The number of major violent conflicts has almost tripled and communities worldwide are affected by serious, organized and transnational criminal violence. Threats of terrorism, violent extremism and the trafficking of illicit goods and persons are growing more serious. Humanitarian needs, exemplified by the displacement of 60 million persons worldwide, are often driven or exacerbated by conflict. International human rights and humanitarian law are frequently ignored. Where civil strife erupts, fair, impartial law enforcement is typically one of the first state services to erode, often triggering the deployment of United Nations peace operations.

45. The non-existence or weakening of the rule of law, including poor policing practices, not only cause but exacerbate unrest and violations of human rights, often with devastating consequences for communities. As continues to be the case in the Democratic Republic of the Congo, Mali, South Sudan and elsewhere, United Nations police play a key role in the protection of civilians, bringing to bear skills that complement those of the military or civilian components, in providing physical protection and establishing a protective environment. By supporting host-State police and other law enforcement services in reforming, restructuring and developing their institutions, United Nations police can be essential to the resumption of host-State services and responsibilities.

46. This qualitative shift in requirements for United Nations police is mirrored by an increase in quantitative demand. While the United Nations does not have a monopoly in international policing, it is by far the largest supplier.[8] United Nations police have the ability to help advance political processes by facilitating dialogue and access to a wide range of actors, and they can help improve security and legitimacy, laying the foundations for longer-term institution-building. These comparative advantages uniquely position United Nations police to contribute to comprehensive rule of law assistance and wider political and preventive efforts.

47. At the same time, gains in efficiency and effectiveness can only be attained through continued reinforcement of regional partnerships. This includes support by the Police Division to standardizing the process of rehatting uniformed personnel. Working closely with the African Union and the European Union, the Police Division and its partners are advancing this cooperation to address training, equipment, sustainment and performance standards, conduct and accountability, and logistics support requirements, as recommended by the High-level Independent Panel on Peace Operations and in my report entitled "The future of United Nations peace operations: implementation of the recommendations of the High-Level Independent Panel on Peace Operations" (see A/70/95-S/2015/446, para. 204, and A/70/357-S/2015/682, para. 51).

[8] United Nations police number approximately 13,500, African Union police less than 500 and European Union police less than 1,000.

48. Concerted efforts by Member States, the Secretariat, regional organizations, specialized policing organizations and other partners are required to realize my vision of a transformed United Nations police that is people-centred, modern, agile, mobile and flexible, specialized, rights-based and norm-driven. This vision will require strong leadership and reinforced partnerships. It will also require robust and effective capabilities, such as well-trained and well-equipped police that have access to recent innovations and technology for better performance. The United Nations police will effectively contribute across the entire spectrum of peace and security, from conflict prevention, peacemaking and peacekeeping to peacebuilding and sustainment of peace.

49. During recent peacekeeping summits and the United Nations Chiefs of Police Summit, Member States and the international policing community reaffirmed the centrality of the United Nations police in the peace and security agenda. Going forward, there is a need to work together in unprecedented ways and renew the commitment to the United Nations police through innovative political, human and financial investments, a broadened base of police-contributing countries and robust processes that ensure interoperability and interorganizational cohesiveness. In so doing, the Organization will be able to translate this vision of the United Nations police into reality.

IX. Observations and recommendations

50. The report of the High-level Independent Panel on Peace Operations and the external review contain a series of recommendations to improve the performance of the United Nations police.[9] After reflecting on these recommendations, I have formulated the plan of action set out below, which describes specific measures to address the challenges outlined above. The Police Division has been instructed to use this plan of action to create opportunities for both United Nations policing and international policing. Realizing this plan depends on the key cross-cutting enablers of partnerships, critical resources and capabilities and a well-structured and well-functioning Police Division.

51. **Recommendation 1**. The recognized role and importance of United Nations police must translate into strategic but realistic mandates that are adequately resourced. The Police Division must also be appropriately positioned and structured. In line with successive reports of the Special Committee on Peacekeeping Operations (see, for example, A/69/19 and A/70/19), Security Council resolution 2185 (2014) and the statement of the President of the Security Council of 31 December 2015 (S/PRST/2015/26), this requires close consultation between Member States and the Secretariat prior to and during the lifecycle of a mission. Such consultation is meant to provide strategic advice to the Security Council, in particular on the priorities and sequencing of United Nations police support in specific settings and which capacities are required; align mandates to available capacities; set and adjust expectations for required capabilities, performance

[9] See also the report of the Office of Internal Oversight Services entitled "Evaluation of the results of national police capacity-building in Haiti, Côte d'Ivoire and the Democratic Republic of the Congo by United Nations police in MINUSTAH, UNOCI and MONUSCO" (Report No. IED-16-014) (available from https://oios.un.org).

standards and timelines, taking into account the limitations of police-contributing countries; and provide for joint engagement on integrated planning and mission-specific directives on the use of force or concept of operations. On the positioning and structure of the Police Division, I welcome the recommendation of the external review to establish a Police Advisory Committee to further strengthen information exchange and triangular cooperation and encourage Member States to consider having such a subsidiary body to the Security Council or the Special Committee on Peacekeeping Operations. I also encourage the Security Council and the General Assembly to consider the recommendation of the external review regarding the strengthening of the leadership of the Police Division in light of the increasing role that United Nations policing is playing in the maintenance of international peace and security. I also broadly support the proposed new requirements related to mission support, planning, recruitment and strategic analysis set out in paragraphs 174 and 175 of the external review and encourage the Department of Peacekeeping Operations to properly balance the composition of the Police Division.

52. **Recommendation 2**. With the active support of Member States, the Police Division has engaged in strategic police generation initiatives that have contributed to making the United Nations police more results-oriented, focusing on anticipated requirements and demand-driven skill sets using new deployment models, such as specialized teams, civilian experts and a formed police unit standing capacity offering specialized expertise. In order to overcome the serious obstacles to recruiting individual police officers with high-level expertise, attract a new cadre of qualified police leaders for United Nations police command positions through the senior police leadership roster, increase female police participation and generate fully functioning formed police units with more diverse capabilities that could be deployed through the Peacekeeping Capability Readiness System, I call on Member States to nominate their most qualified officers. The Secretariat will collaborate closely with potential contributors to ensure a shared, forward-looking understanding of required capacities and capabilities, and shortened deployment timelines.

53. **Recommendation 3**. The deployment of trained, well-equipped and fit police officers with the necessary skill sets to United Nations operations at the right time is essential. As noted in the external review, United Nations policing continues to struggle to provide missions with personnel satisfying the full range of capacities necessary to effectively and efficiently implement protection and capacity-building mandates in a timely manner. Closing this gap will require close coordination with Member States. In order to determine how the Secretariat can further improve its selection and recruitment processes, and following on the external review, an internal audit will be conducted of the selection and recruitment processes for United Nations police. Following the audit, I propose that consideration be given to further refining the Police Division architecture through a strategic police generation and recruitment section. Further, I reiterate my call for Member States to ensure that the police personnel that they contribute to peace operations uphold the highest human rights standards and receive predeployment training on protection of civilians, child protection and conflict-related sexual violence, according to United Nations standards. I also call on Member States to ensure prompt investigation in cases of alleged crimes or misconduct. All United Nations police must, furthermore, perform their duties in line with their mandate and directives on the use of force

(see S/2016/447, para. 78(a)). Incidents of non-performance or underperformance should be immediately reported to Headquarters to ensure timely follow-up and accountability, as appropriate.

54. **Recommendation 4**. Recent cases of sexual exploitation and abuse by United Nations personnel have gravely endangered the United Nations peace operations enterprise. Contributing countries should assume full responsibility for holding their personnel accountable, including through prosecution, where appropriate, for any criminal acts, including sexual exploitation and abuse, in accordance with due process and consistent with Security Council resolution 2272 (2016) and the Organization's zero-tolerance policy. I welcome the efforts of Member States and the Secretariat to strengthen the vetting of all United Nations police personnel to ensure that they do not have a history of human rights violation, including instances of sexual exploitation and abuse in service with the United Nations, and to comply with all provisions of the policy on human rights screening of United Nations personnel. Security Council resolution 2272 (2016) and the associated operational guidance on its implementation should have a significant impact on efforts already in place to prevent and address misconduct more broadly and sexual exploitation and abuse in particular. The United Nations police will actively support their implementation.

55. **Recommendation 5**. With regard to increasing the participation of women police officers in United Nations peace operations, including command positions, the Secretariat will continue to work closely with Member States and the United Nations Entity for Gender Equality and the Empowerment of Women to overcome systemic challenges regarding the eligibility of female candidates, such as entry requirements to ensure equal opportunity, including by instituting special measures.

56. **Recommendation 6**. In order to protect civilians and help stabilize communities emerging from conflict, I intend to strengthen the capacity, capabilities and performance of formed police units, in close consultation with Member States, based on a review to be undertaken by the Policy, Evaluation and Training Division of the Department of Peacekeeping Operations/Department of Field Support. Notably, the evaluation will look at their impact and role within individual missions, as well as challenges related to flexibility, mobility, training and equipment.

57. **Recommendation 7**. United Nations policing services must comply with, and operate on, the doctrinal foundation of the Strategic Guidance Framework for International Police Peacekeeping through: (a) targeted recruitment based on identified field needs, including for special political missions; (b) a solid accountability framework for the implementation of mandates; and (c) continuous monitoring of performance and its improvement through data collection, analysis and implementation of lessons learned. I welcome the efforts of the Department of Peacekeeping Operations and the Department of Field Support to strengthen the United Nations police knowledge management and training capacity, particularly as it relates to the Strategic Guidance Framework for International Police Peacekeeping and protection of civilians.

58. **Recommendation 8**. As outlined in my report on the future of United Nations peace operations (A/70/357-S/2015/682), enhancing the predeployment, induction and in-mission training of United Nations police personnel requires a collective

effort by the Secretariat and Member States to ensure deployment readiness and increase performance. This includes, but is not limited to: (a) Member State-provided certification for all police personnel who have completed United Nations-specified predeployment training as part of the police generation process; (b) support to the establishment of bilateral and regional training partnerships; and (c) establishment of a pilot train-the-trainer centre in Entebbe, Uganda, supported by voluntary contributions, to reinforce the role of the United Nations in setting training standards.

59. **Recommendation 9**. Reform efforts undertaken by the United Nations police should inform political processes and be seen as an enabling element that drives the design and implementation of peace operations. Heads of mission should capitalize on United Nations police capacity-building and development initiatives, situational awareness and community relations as resources to bolster capacities to support effective political solutions from the outset of a mission.

60. **Recommendation 10**. It is necessary to respond to the deteriorating police performance of host-State police services, or their politicization or abuse, before conflict erupts, in particular through the participation of the United Nations police in the Organization's mediation and conflict prevention efforts. This will also require a slight augmentation of preventive capacity in the Police Division in New York and its Standing Police Capacity in Brindisi.

61. **Recommendation 11**. Police components are essential to any United Nations rule of law initiative in the field. The heads of police components, in conjunction with heads of missions, must continue to pursue a strategically and operationally integrated approach with their justice, corrections, human rights, security sector reform and other partners to effectively deliver peace dividends on the ground.

62. **Recommendation 12**. Member States and the United Nations system should provide United Nations police, justice and corrections personnel with adequate means to help sustain peace and avoid relapse into conflict, including by further strengthening and expanding the Global Focal Point on Police, Justice and Corrections Areas in the Rule of Law in Post-Conflict and Other Crisis Situations arrangement. This must include mutually supportive, interoperable arrangements between the United Nations and other entities, including in non-mission settings, and diversification of the financing of rule of law activities, including through access to assessed mission budgets for programmatic activities in support of mandated tasks, as recommended in the report of the High-level Independent Panel on Peace Operations, voluntary trust funds such as the Peacebuilding Fund, mission-specific trust funds, or UNDP thematic or geographic trust funds, as well as strategic partnerships with the World Bank, the European Union and other stakeholders.

63. **Recommendation 13**. Heads of missions should ensure that United Nations police have integrated access to security and information exchange networks in order to facilitate better situational awareness, predictive analysis and early warning information, including on serious and organized crime. This will also allow them to better assist national law enforcement actors to help build their own capacity over time. This should be accompanied by the formalization of the serious organized crime team within the Police Division, with adequate resources and funding, and the

establishment of serious organized crime support units in missions with a serious organized crime mandate. In close coordination with UNODC, INTERPOL and bilateral donors, the Department of Peacekeeping Operations will thus be able to provide increasingly integrated assistance to host-State entities in establishing or consolidating transnational crime units and associated processes.

64. **Recommendation 14**. Adequate resources are required for Police Division backstopping support to special political missions. It currently provides support to UNSOM, the United Nations Support Mission in Libya, the United Nations Integrated Peacebuilding Office in Guinea-Bissau, the United Nations Assistance Mission for Iraq and the United Nations Assistance Mission in Afghanistan, as well as to the planning processes for Burundi, Colombia and Yemen. This has led to a severe stretching of resources specifically budgeted for backstopping support to peacekeeping operations, especially during start-up and transition phases. I encourage Member States to consider allocating appropriate resources for the backstopping of special political missions.

65. The implementation of my vision of a modern United Nations police also rests on the availability of key cross-cutting enablers, in particular the newest technologies to enhance situational awareness and protect United Nations personnel, as well as the consolidation of partnerships to create new global models of cooperation, so that the Police Division is fully capable of supporting United Nations police components in the implementation of their mandated tasks.

66. The United Nations police have served to protect people around the world, strengthening inclusive and representative institutions and States, while respecting and promoting human rights and exemplifying the values enshrined in the Charter of the United Nations. At great personal cost, they have generously executed their tasks, in extreme conditions, sometimes under imminent threat and immense pressure, to protect civilians and represent the fairest principles of law and order. I extend my heartfelt admiration and gratitude to these brave men and women, who have, time and again, demonstrated their deep commitment to the ideals and goals of the United Nations.

67. I approach the end of my tenure as Secretary-General with continued concern over the many challenges facing the United Nations. The present report sets out my vision of how the United Nations police, when given strategic, realistic and adequately resourced mandates, can contribute to the sustainment of peace in the broadest sense. It sets out recommendations that reflect the findings of the High-level Independent Panel on Peace Operations, my report on the implementation of those findings and the external review of the functions, structure and capacity of the Police Division, as well as other global United Nations initiatives. I trust that my successor will give these recommendations strong consideration, with a view to advancing the development of more timely, tailored and effective United Nations prevention and conflict management responses, recognizing that the United Nations police can and should play a central role in these efforts.